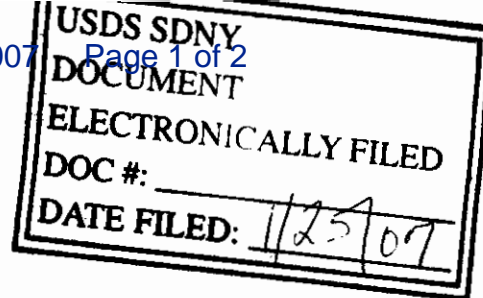


71 NEVINS STREET
BROOKLYN, NY 11217
P: (718) 852-3710
F: (718) 852-3586
WWW.STOLLGLICKMAN.COM

RECEIVED
JAN 22 2007
HAROLD BAER
U.S. DISTRICT JUDGE
S. D. N.Y.



Chambers of the Harold Baer
United States District Court, SDNY
500 Pearl Street, Chambers 2230
New York, NY 10007-1312
by fax: 212-805-7901

January 22, 2007

Re: David Jones v. City of New York et al., 06-CV-0991 (HB)

Your Honor-

I have received a fax confirming the scheduling of a trial in the above referenced matter. This letter is a request to reschedule that trial date.

Although I am aware of the Court's policy concerning adjourning trial dates, I believe unusual circumstances here warrant an exception to the Court's rules. That is, that opposing counsel and my client and I have all agreed to a settlement of the case, but that agreement has been pending approval of the bankruptcy court for the Eastern District, since settlement depends on approval of the Court and trustee in bankruptcy.

It is my hope and expectation that this will be accomplished soon, but to try this case when the most interested parties have agreed to a settlement seems to be a waste of everybody's resources. It is my hope, (and opposing counsel's hope) that the settlement that Mr. Jones and defendants have agreed to can be effectuated, and that the Court will consider adjourning the trial date to ensure adequate time for the trustee in bankruptcy to obtain approval for the settlement.

Sincerely Yours,

[Signature]
Andrew Stoll
Stoll, Glickman & Bellina L.L.P.

cc: Office of Corporation Counsel
Attn: ACC Jordan Smith
100 Church Street
New York NY 10007
By fax: 212-788-9776

*lots of cases
on my docket are
where a settlement
has frequently been
tried - if you can
some time on decision
I'll put your case on
list for now. See you in court*
Harold Baer, Jr., U.S.D.J.
Date: 1/25/07

Lots of cases on my docket are "nearing" settlement but they frequently have to be tried - if you can get me some timetable or documents I'll put your case on suspense, gladly, but for now I'll see you in Court.